## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

FRANK MORRIS CROWLEY,	)
Petitioner,	)
vs.	) Case No. CIV-08-0357-F
DAVID PARKER, Warden,	)
Respondent.	)

## **ORDER**

The Report and Recommendation of Magistrate Judge Bana Roberts, dated April 10, 2008 (doc. no. 5) recommends that the motion for leave to proceed *in forma pauperis* (doc. no. 2) be denied and that this action be dismissed unless petitioner pays the filing fee. The Report is **ACCEPTED** and **ADOPTED** by the court. Accordingly, the motion for *in forma pauperis* status is **DENIED**. The subject matter of the Report is now moot, however, because petitioner has paid the filing fee. This action remains referred to the magistrate judge.

Dated this 14<sup>th</sup> day of May, 2008.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE